



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/820,431	04/07/2004	R. Jeffrey Jordan	IGTIP327/AC055	7182
22434	7590	06/13/2008		
BEYER WEAVER LLP			EXAMINER	
P.O. BOX 70250			HOEL, MATTHEW D	
OAKLAND, CA 94612-0250				
		ART UNIT	PAPER NUMBER	
		3714		
		MAIL DATE	DELIVERY MODE	
		06/13/2008		PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/820,431

Applicant(s)

JORDAN ET AL.

Examiner

Matthew D. Hoel

Art Unit

3714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03/07/2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5, 10-21, 23 and 24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 10-21, 23 and 24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SI/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

3. Claims 1 to 3, 5, and 10 to 21, 23, and 24 are rejected under 35 U.S.C. 102(b) as being anticipated by Burns, et al. (U.S. pre-grant publication 2002/0034977 A1, application 09/541,180) in view of Gatto, et al. (U.S. pre-grant publication 2003/0078094 A1, application 10/052,893).

4. As to Claim 1: '977 teaches a service center coupled to a gaming network and to an automatic teller network (Fig. 1). '977 has a player identifier structured to validate a user as a holder of a player account on the gaming network (cash-out slips that maintain an account of the player's winnings, Abst.). '977 has a ticket reader (bar code reader 304, Fig. 1; cash-out slips with bar codes, Figs. 2-4). '977 has a verifier coupled

to the player identifier and the ticket reader, and structured to validate a ticket that is inserted into the ticket reader (validity of coupons verified, Para. 15). '977 has a payment dispenser structured to eject an amount of value after the ticket is validated (automatic currency dispenser, Para. 20). Regarding the new limitation, '977 teaches validating a ticket of an authorized holder (player tracking enabled by insertion of room key or card or player identification card, player subsequently tracked when slip cashed out as slip is tied to player, Para. 19). '094, however, teaches validating the authorized holder of a ticket before giving credit. '094 teaches an ATM with a keypad input which would be capable of accepting a PIN (Para. 37). The player's winnings can be stored in a bank account accessible by an ATM (Para. 41; account credited, Para. 43; bankcard, Para. 45). Any ATM transaction would require a player to be validated by a PIN before the transaction went through. This is evidenced for the gaming arts by Small (U.S. patent 4,699,730 A), Figs. 1 to 7, which show the use of PINS for ATM transactions. It would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the validation of '094 to the system of '977. The player of '977 can obtain credit for game play from an ATM (Para. 20), which would require a PIN to validate the player. Bell (5,505,461) applied below for the reporting of tax winnings would require the player to present some form of identification or validation of the player since winnings would be reported to the IRS. Not dispensing credit until after the player is verified would ensure that credit is given to the player who actually won it and that the correct player is taxed for the winnings. A bearer-instrument ticket fraudulently redeemed could result in one party receiving the winnings and another party reported as

owing taxes on them. The validation of an authorized holder of the ticket would have the effect and advantage of preventing the cashout ticket from being a bearer instrument and assure that only the player who actually won the money actually receives it. It would also have the advantage of allowing the player to retain the winnings in an account rather than just receiving cash or credit for game play.

5. As to Claim 2: '977 teaches a bill validator (paper currency reader 204, Para. 39).

6. As to Claim 3: '977 teaches a ticket printer (bar code printer 208, Fig. 1).

7. As to Claims 5 and 23: '977 discloses all of the elements of Claims 5 and 23, but does not disclose the player identifier being structured to validate the user as an employee. '977 does teach a player identification card to validate the user as a game player (Para. 47). '977 also has a change station operated by an attendant who dispenses winnings to the winner once the winner has been verified (Para. 51). It would be prima facie obvious to one of ordinary skill in the art to have the player identifier of '977 structured to validate the user as an employee in order to prevent game players or unauthorized employees from gaining access to the change station. This could be done by issuing employees their own employee identification cards, which would otherwise be identical to player identification cards except for the codes stored on them. The advantage of this modification would be to enhance casino security.

8. As to Claim 10: '977 teaches a standalone service center that is coupled to a gaming network (Fig. 1). '977 presents transaction choices to a user and accepts a selected choice (Figs. 5a,b). '977 verifies an identity of a user having a player account (player identification card, Para. 47). '977 accepts a ticket at a ticket reader (Para. 51).

'977 validates the accepted ticket by comparing it to data stored on the gaming network (validity of cash-out slips verified by CPU, Para. 49). The attendant then provides a benefit to the user by paying out on the cash-out slip (Para. 49). Regarding the new limitation, the cashout slips can be redeemed at a cashier's station which does not include a gaming machine (Abst., Para. 51).

9. As to Claim 11: '977 provides winnings in currency (Para. 51).
10. As to Claim 12: The service center of '977 is structured to provide a benefit to the user by providing a new ticket to the user (pre-printed free play coupons, Para. 13).
11. As to Claim 13: The service center of '977 is structured to provide a benefit to the user by adding a benefit to the player account (player receives credit for game play corresponding to amount in account, Para. 12; pre-printed free play coupons represent value redeemable in free plays credited to player's account, Para. 13).
12. As to Claim 14: The service center of '977 is structured to establish a data connection with an ATM network (Para. 20 mentions coupons being dispensed by ATMs as opposed to the cashier station).
13. As to Claim 15: '094 teaches transferring credit from an ATM account to make money available for a player to use (Para. 41). The player is able to take the ticket printed by the ATM and use it for subsequent play on the gaming machines.
14. As to Claim 16: '977 teaches a method of servicing a player account, comprising accepting an input at a station that is coupled to a gaming network (Fig. 1), identifying a player having an account based on the input (Para. 19), accepting a ticket at a ticket reader (bar code reader at change station, Para. 50), verifying the authenticity of the

Art Unit: 3714

ticket (Para. 51), providing something of value to the player (Para. 51), and recording that the ticket has been redeemed (complete accounting of player accounts, Para. 19). Regarding the new limitation, '977 teaches validating a ticket of an authorized holder (player tracking enabled by insertion of room key or card or player identification card, player subsequently tracked when slip cashed out as slip is tied to player, Para. 19). The new limitations of Claim 16 are addressed in the rejection of Claim 1.

15. As to Claim 17: '977 is able to add value to a player account (Para. 20).
16. As to Claim 18: The cashier station of '977 is able to eject winnings in the form of currency (Para. 20).
17. As to Claim 19: '977 is able to provide something of value by printing another ticket from the station (pre-printed free play coupons, Para. 13).
18. As to Claim 20: The station of '977 is not a gaming device (300, Fig. 1).
19. As to Claim 21: '977 teaches a method of servicing a player account at a service center coupled to a gaming network on which a plurality of player accounts are stored (Fig. 1, Abst.). '977 establishes a data connection to the gaming network (printouts controlled by central CPU, Para. 13-15). '977 accepts an identification of a user (player identification card, Para. 47). '977 authorizes the user when the information matches the stored user data (Para. 47). '977 accepts a ticket from a user (Para. 20). '977 compares the data from the ticket to ticket data stored on the gaming network (cashier station controlled by central CPU, Para. 20). '977 provides something of value if the data from the ticket matches the stored ticket data (Para. 20). '094 establishes a

connection to an ATM network and transfers money to the authorized player's account (Para. 41; account credited, Para. 43; bankcard, Para. 45).

20. As to Claim 24: '977 provides currency to an authorized employee (Para. 51) and stores a record of providing the currency on the gaming network (complete accounting of player accounts, Para. 19).

21. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over '977 and '094 in view of Bell, et al. (U.S. patent 5,505,461 A).

22. As to Claim 4: The combination of '977 and '094 discloses all of the elements of Claim 4, but lacks specificity as to printing a tax form. '461, however, teaches printing a tax form when a player cashes out his or her winnings (Abst., Fig. 2). It would be obvious to one of ordinary skill in the art to apply the tax form of '461 to the combination of '977 and '094. It is widely known in the art that casinos retain the Social Security numbers of their patrons to report their winnings to the IRS, as well as to monitor transactions for possible money laundering. The advantage of this combination would be to automate the printing of the tax forms to make the tax reporting more efficient for the casino as well as the winners.

Response to Arguments

23. Applicant's arguments filed 03/07/2007 have been fully considered but they are not persuasive. '094 teaches validating the authorized holder of a ticket before giving credit. '094 teaches an ATM with a keypad input which would be capable of accepting a

PIN (Para. 37). The player's winnings can be stored in a bank account accessible by an ATM (Para. 41; account credited, Para. 43; bankcard, Para. 45). Any ATM transaction would require a player to be validated by a PIN before the transaction went through. This is evidenced for the gaming arts by Small (U.S. patent 4,699,730 A), Figs. 1 to 7, which show the use of PINS for ATM transactions. It would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the validation of '094 to the system of '977. The player of '977 can obtain credit for game play from an ATM (Para. 20), which would require a PIN to validate the player. Bell (5,505,461) applied below for the reporting of tax winnings would require the player to present some form of identification or validation of the player since winnings would be reported to the IRS. Not dispensing credit until after the player is verified would ensure that credit is given to the player who actually won it and that the correct player is taxed for the winnings. A bearer-instrument ticket fraudulently redeemed could result in one party receiving the winnings and another party reported as owing taxes on them. The validation of an authorized holder of the ticket would have the effect and advantage of preventing the cashout ticket from being a bearer instrument and assure that only the player who actually won the money actually receives it. It would also have the advantage of allowing the player to retain the winnings in an account rather than just receiving cash or credit for game play. '094 teaches credits dispensed to a player in Para. 16. Para. 17 outlines this credit being credited to the player's account. Para. 31 teaches the player redeeming his or her winnings by way of an ATM account. Para. 35 teaches the cashless coded ticket which is separate from the debit or credit card of

Para. 37 which has a magnetic stripe. Such a magnetic stripe combined with the player's PIN number would ensure that the credit from the player's winnings is only transferred to his or her bank or credit card account after the player's identity as an authorized user of the account is verified. The ATM card is still used to withdraw funds from the account to be used as wagering money or to deposit winnings, if any, into the player's account. The magnetic card is cited separately from the cashless ticket in Para. 37. Paras. 43 to 45 detail how a player redeems his or her winnings to be deposited into his or her account. The inclusion of a PIN number used on an ATM machine is evidenced as outlined above regarding the '730 reference. '094 did not develop this aspect of the invention as it was not '094's inventive concept. That which is widely known in the art does not always need to be explicitly disclosed and can be implicitly anticipated. See MPEP 2105 and 2112. The examiner respectfully disagrees with the applicants as to the claims' condition for allowance.

Conclusion

24. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).
25. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

Art Unit: 3714

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

26. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew D. Hoel whose telephone number is (571) 272-5961. The examiner can normally be reached on Mon. to Fri., 8:00 A.M. to 4:30 P.M.

27. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert E. Pezzuto can be reached on (571) 272-6996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

28. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Matthew D. Hoel
Patent Examiner
AU 3714

/Robert E. Pezzuto/
Supervisory Patent Examiner
Art Unit 3714

/M. D. H./
Examiner, Art Unit 3714